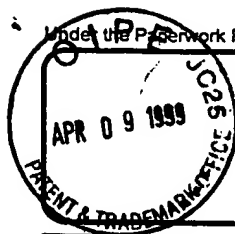


Please type a plus sign (+) inside this box → ☐

GAU - 2811 \$

PTO/SB/29 (12/97)  
Approved for use through 09/30/00. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:

☐ **DUPLICATE**

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No.

MI22-713

First Named Inventor

Sandhu

Express Mail Label No.

369520349

Total Pages

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),  
(continued prosecution application (CPA)) of prior application number 08 / 886,388  
filed on 7/1/97 entitled Method of Forming a Capacitor and a Capacitor Construc.

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b) and filed on or after June 8, 1995, or (2) the national stage of an international application in compliance with 35 U.S.C. 371 and filed on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_  
under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed. (Response to Jan. 21, 1999 Final Office Action)
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a. ☒ PTO-1449
  - b. ☒ Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

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01 FC:131



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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c))	2	-20 =	0	x \$ 0 =	\$ 0
INDEPENDENT CLAIMS(37 CFR 1.16(b))	1	-3 =	0	x \$ 0 =	0
MULTIPLE DEPENDENT CLAIMS (if applicable)(37 CFR 1.16(d))				+ \$ _____ =	
				BASIC FEE (37 CFR 1.16(a))	760
				Total of above Calculations =	760
Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).					
TOTAL =					760

6. Small entity status:

a. ☐ A small entity statement is enclosed.

b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.

c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 23 - 0925:

a. ☒ Fees required under 37 CFR 1.16.

b. ☒ Fees required under 37 CFR 1.17.

c. ☐ Fees required under 37 CFR 1.18.

8. ☒ A check in the amount of \$ 760 is enclosed. (Chk. No. 122213)

9. ☒ Other: PTO Return Receipt Postcard.

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS					
<input checked="" type="checkbox"/> Customer Number or Bar Code Label		021567		or <input type="checkbox"/> New correspondence address below	
(Insert Customer No. or Attach bar code label here)					
NAME	David G. Latwesen, Ph.D.				
	Wells, St. John, Roberts, Gregory & Matkin, P.S.				
ADDRESS	601 W. First Ave., Suite 1300				
CITY	Spokane	STATE	WA	ZIP CODE	99201-3828
COUNTRY	USA	TELEPHONE	(509) 624-4276	FAX	(509) 838-3424

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
NAME	David G. Latwesen, Ph.D. Reg. 38,533
SIGNATURE	<i>David G. Latwesen</i>
DATE	4/9/99





EL 369520349

# 11/C  
4-15-99  
Murphy

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2 Application Serial No. .... 08/886,388  
3 Filing Date ..... Filed herewith  
4 Inventor ..... Gurtej S. Sandhu et al.  
5 Assignee ..... Micron Technology, Inc.  
6 Group Art Unit ..... 2811  
7 Examiner ..... W. Hughes  
8 Attorney's Docket No. .... MI22-713  
9 Title: Capacitor Constructions (As Amended)

10 **RESPONSE TO JANUARY 21, 1999 FINAL OFFICE ACTION**  
11 **RESPONSE TO ACCOMPANY CPA FILING**

12 To: BOX CPA  
13 Assistant Commissioner for Patents  
14 Washington, D.C. 20231

15 From: David G. Latwesen (Tel. 509-624-4276; Fax 509-838-3424)  
16 Wells, St. John, Roberts, Gregory & Matkin P.S.  
17 601 W. First Avenue, Suite 1300  
18 Spokane, WA 99201-3828

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TECHNOLOGY CENTER 2800

19 **AMENDMENTS**

20 **Amended Claims**

21 Cancel ~~claims~~ 43 and 46-50.

22 44. (Once Amended) A pair of adjacent stacked capacitors  
23 fabricated relative to a semiconductor substrate, the adjacent capacitors  
having a minimum lateral spacing from one another which is less than  
the minimum photolithographic feature dimension with which the  
capacitors are fabricated.